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Chief Magistrate Judge James P. Donohue

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4 WESTERN DISTRICT OF WASHINGTON
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7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE
9
10 IN THE MATTER OF THE SEARCH OF:

11 Stored communications and information
12 associated with samifredrikstad@live.com,
13 currently stored at premises controlled by
14 Live.com at Microsoft Corporation.

NO. 15-MJ-00040-JPD

GOVERNMENT'S
MOTION TO UNSEAL SEARCH
WARRANT RELATED MATERIALS
AND [PROPOSED] ORDER

15 The United States of America, by and through Annette L. Hayes, United States
16 Attorney for the Western District of Washington, and Rebecca S. Cohen, Assistant
17 United States Attorney for said District, requests entry of an order unsealing the search
18 warrant, application, affidavit in support and accompanying return ("search warrant
19 related materials") filed in the above captioned matter. The Court previously directed
20 that the search warrant related materials be sealed at the government's request. The
21 materials were to remain sealed until further order of the Court.

22 The law provides that search warrant related materials may remain under seal
23 during the pendency of an investigation. *See United States v. Custer Battlefield Museum*,
24 658 F.3d 1188, 1192-93 and 1196 (9th Cir. 2011). In addition, the government may seek
25 an order continuing to maintain the materials under seal even after the return of an
26 indictment or the closure of an investigation based on compelling reasons. *Id. at 1195*.
27 Those reasons can include the need to (1) protect the identity and safety of witnesses, (2)

1 protect the integrity of other investigations, (3) avoid risk of flight, tampering with
2 witnesses, or destruction of evidence, (4) protect a national security concern, (5) protect a
3 matter occurring before the grand jury, (6) protect victims, or (7) protect the safety of the
4 target of the investigation.

5 Upon review of the files in this matter, and with due consideration of the factors
6 identified above, the government has determined there is no longer a compelling reason
7 to maintain the materials under seal and respectfully requests entry of the attached order.

8 DATED this 9th day of November, 2015.
9

10 Respectfully submitted,

11 ANNETTE L. HAYES
12 United States Attorney

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ORDER

Based upon the government's Motion, and the representations made therein, the Government's Motion to Unseal is GRANTED.

IT IS HEREBY ORDERED that the search warrant, application, affidavit in support and accompanying return previously filed under seal in the above-captioned matter shall be UNSEALED.

DATED this 26 day of November, 2015.

The Honorable James P. Donohue
Chief United States Magistrate Judge